

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Jose A. & Maria R. Carcamo :
t/a El Sauce Restaurant And: Cease and Desist
Carry-Out :
1227 11th Street NW : Hearing
Retailer DR :
License No. 72654 :
: :
ANC 2F :
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MARCH 4, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

PRESENT

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
JAMES SHORT, Member
MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

P R O C E E D I N G S

11:28 a.m.

CHAIR MILLER: Okay, third case on the calendar, bye, bye, good luck, is case number 13-CMP-00337. Jose A. and Maria R. Carcamo, 1227 11th Street NW, license number 72654 and ANC 2F. Perfect, thank you. Okay, good morning, if you could identify yourselves for the record please?

MS. SANTANA: (Spanish speaking).

CHAIR MILLER: I'm sorry, can you speak up or into the microphone? There's a microphone on the table.

MS. DELEON: Her name is Blanca Rulia Santana.

CHAIR MILLER: And your name is?

MS. DELEON: My name is Ana DeLeon, I'm her translator.

CHAIR MILLER: Okay.

MR. MATTHEWS: Jermaine Matthews on behalf of El Sauce.

CHAIR MILLER: Okay. So, this is not an evidentiary hearing in any way. No one's

1 going to be put under oath, this is just somewhat
2 of a fact finding that you all have requested to
3 speak to the board, I believe, in response to the
4 cease and desist that went out to El Sauce
5 restaurant.

6 MR. MATTHEWS: Yes.

7 CHAIR MILLER: Okay.

8 MEMBER ALBERTI: Madame Chair, should
9 we put the, I know it's not, no one's under oath,
10 but we should put the interpreter under oath.

11 CHAIR MILLER: Okay.

12 MEMBER ALBERTI: I just think it's on
13 a note of caution.

14 CHAIR MILLER: Okay, let me find the
15 interpreter's oath. There's a special oath for
16 interpreters. What's your name again?

17 MS. DELEON: Ana DeLeon.

18 CHAIR MILLER: Ana DeLeon?

19 MS. DELEON: Uh huh.

20 CHAIR MILLER: Okay, do you solemnly
21 affirm that you will faithfully and accurately
22 interpret the proceedings in this matter from

1 what language?

2 MS. DELEON: From Spanish to English.

3 CHAIR MILLER: Okay, from Spanish from
4 English and from English into Spanish to the best
5 of your ability?

6 MS. DELEON: Yes, I do.

7 CHAIR MILLER: Thank you. This is an
8 unusual hearing because you all have requested
9 it, so it's hard to categorize it. I've been
10 advised that perhaps I should put everybody under
11 oath, so I might as well just go along without an
12 objection. Okay. And her name is, again?

13 MS. DELEON: Blanca Rulia Santana.

14 CHAIR MILLER: Do you, Ms. Santana,
15 swear to tell the truth, the whole truth, and
16 nothing but the truth?

17 MS. DELEON: Yes.

18 CHAIR MILLER: Would you repeat your
19 name?

20 MR. MATTHEWS: Jermaine Matthews.

21 CHAIR MILLER: Do you swear to tell
22 the truth, the whole truth, and nothing but the

1 truth?

2 MR. MATTHEWS: Yes.

3 CHAIR MILLER: Alright, thank you.

4 Okay, so I'll let you proceed.

5 MR. MATTHEWS: Yes, Ms. Santana has
6 filed a general power of attorney for her
7 husband, who is now deported, and she basically
8 just wants to place the license into safekeeping
9 and find an owner to take over the establishment.
10 Well, actually, they have found an owner.

11 CHAIR MILLER: Actually what?

12 MR. MATTHEWS: They have found an
13 owner.

14 CHAIR MATTHEWS: They have found an
15 owner?

16 MR. MATTHEWS: Yes.

17 CHAIR MILLER: Okay. Okay, do you
18 want to address why she has that authority or
19 anything by which the board should grant that
20 request?

21 MS. DELEON: She's going to explain.

22 CHAIR MILLER: Okay.

1 MS. DELEON: Okay, due to the
2 circumstances that my husband is in deportation,
3 okay, I am asking the board if they could please
4 permit for me to put the license in safekeeping.
5 Okay, because we have decided to sell the
6 business, and we have a person that is interested
7 in purchasing the business from us. We had here
8 a copy of the limited power of attorney that he
9 gave to me when he was detained, so I would be
10 able to administer anything having to do with the
11 business. I have also provided the originals of
12 our marriage certificate when we got married last
13 year.

14 CHAIR MILLER: Married when?

15 MS. DELEON: Last year.

16 CHAIR MILLER: Do we have the power of
17 attorney documents?

18 MR. MATTHEWS: Yes.

19 CHAIR MILLER: Okay. Okay, anything
20 else?

21 MS. DELEON: That would be all.

22 CHAIR MILLER: Alright, any board

1 questions?

2 MEMBER BROOKS: I have a question.

3 CHAIR MILLER: Yes, Mr. Brooks?

4 MEMBER BROOKS: You say you have
5 someone that you're going to transfer the license
6 to?

7 MS. DELEON: Yes.

8 MR. MATTHEWS: Yes, they have found
9 someone to transfer the license to which, but
10 they're completely getting out of the business,
11 they're selling it, actually.

12 MEMBER BROOKS: And how soon, if this
13 is approved, the safekeeping, how soon would that
14 person be applying?

15 MS. DELEON: Within a week.

16 MR. MATTHEWS: Within a week.

17 MEMBER BROOKS: Thank you, Madam
18 Chair.

19 CHAIR MILLER: Yes, Mr. Short?

20 MEMBER SHORT: Who is the respective
21 owner of this, that's going to buy this? Is he
22 an American citizen, is he a person of good

1 standing in the community?

2 MS. DELEON: Yes, he's a U.S. citizen.
3 So he also is a business owner, and he is a U.S.
4 citizen, and he is known in that community.

5 MEMBER SHORT: Thank you.

6 CHAIR MILLER: Yes, Mr. Brooks?

7 MEMBER BROOKS: Yes, thank you Madam
8 Chair. Now, is this person, the prospective
9 buyer, is he related to this lady and the
10 husband?

11 MS. DELEON: No.

12 MEMBER BROOKS: Has no relation?

13 MS. DELEON: No.

14 MEMBER BROOKS: Thank you, Madam
15 Chair.

16 CHAIR MILLER: Was the sale intended
17 before the cease and desist, or did that occur as
18 a result of the cease and desist?

19 MS. DELEON: Well, she's saying that
20 since the license was taken away, all her sales
21 have come down and there's not been much
22 business, so then this is when they have decided

1 that they're better off in selling.

2 CHAIR MILLER: Any other questions?
3 Anything else you want to tell us?

4 MEMBER JONES: Madam Chair?

5 CHAIR MILLER: Mr. Jones has a
6 question. Thank you.

7 MEMBER JONES: Thank you, Madam Chair.
8 I just want to confirm, are you aware and
9 cogniscent of the fact that the license, in
10 accordance with our records, only has one name on
11 it?

12 MS. DELEON: Right, she is aware that
13 there is only one name on it. Her name is not on
14 there.

15 MEMBER JONES: Okay, and is it your
16 position that this limited power of attorney is
17 your authority to take action or to perform an
18 action that impacts that license?

19 MS. DELEON: Yes.

20 MEMBER JONES: Okay, and one last
21 question. Just to confirm, there is no intent at
22 this time in order to add your name to the ABRA

1 records associated with that license, correct?

2 MS. DELEON: No, not at all.

3 MEMBER JONES: Okay, thank you. Thank
4 you, Madam Chair.

5 CHAIR MILLER: Anything else? Okay,
6 so we have these documents, which are important
7 for us to look at in the context of that license.
8 So we're going to take this under advisement.
9 We're going to take a careful look at these
10 documents and consider what you said, and then we
11 will get back to you. Okay, thank you.

12 MS. DELEON: Thank you.

13 MS. SANTANA: Thank you.

14 MEMBER GONZALEZ: Gracias.

15 MS. SANTANA: Okay.

16 (Whereupon, the case was concluded at
17 11:42 a.m.)
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